Certification of Health Care Provider for Employee's Serious Health Condition under the Family and Medical Leave Act

U.S. Department of Labor Wage and Hour Division



DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR. RETURN TO THE PATIENT.

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The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave due to a serious health condition to submit a medical certification issued by the employee's health care provider. 29 U.S.C. §§ 2613, 2614(c)(3); 29 C.F.R. § 825.305. The employer must give the employee at least 15 calendar days to provide the certification. If the employee fails to provide complete and sufficient medical certification, his or her FMLA leave request may be denied. 29 C.F.R. § 825.313. Information about the FMLA may be found on the WHD website at www.dol.gov/agencies/whd/fmla.

SECTION I - EMPLOYER

Either the employee or the employer may complete Section I. While use of this form is optional, this form asks the health care provider for the information necessary for a complete and sufficient medical certification, which is set out at 29 C.F.R. § 825.306. You may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308. Additionally, you may not request a certification for FMLA leave to bond with a healthy newborn child or a child placed for adoption or foster care.

Employers must generally maintain records and documents relating to medical information, medical certifications, recertifications, or medical histories of employees created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

(1) Employee name:				
	First	Middle	Last	
(2) Employer name:			Date:	(mm/dd/yyyy)
			(List date certification re	equested)
(3) The medical certification	must be returned by			(mm/dd/yyyy)
(Must allow at least 15 cale	endar days from the date requeste	ed, unless it is not feasible despite the	employee's diligent, good faith effor	rts.)
(4) Employee's job title:			Job description is /	is not attached.
Employee's regular work	schedule:			
Statement of the employe	ee's essential job functions:			
`	the employee's position are deter	mined with reference to the position the ris earlier.)	he employee held at the time the em	ployee notified the

SECTION II - HEALTH CARE PROVIDER

Please provide your contact information, complete all relevant parts of this Section, and sign the form. Your patient has requested leave under the FMLA. The FMLA allows an employer to require that the employee submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to the serious health condition of the employee. For FMLA purposes, a "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves **inpatient care** or **continuing treatment by a health care provider**. For more information about the definitions of a serious health condition under the FMLA, see the chart on page 4.

You also may, but are **not required** to, provide other appropriate medical facts including symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment. Please note that some state or local laws may not allow disclosure of private medical information about the patient's serious health condition, such as providing the diagnosis and/or course of treatment.

Emplo	yee Name:				
Lilipio	yee Hame.				
Health	Care Provider's name: (Print)				
Health	Care Provider's business address:				
Туре о	of practice / Medical specialty:				
Teleph	one:	Fax:	E-mail:		
PART	A: Medical Information				
based inform regular tests, a	our response to the medical condi- upon your medical knowledge, ex- nation about the amount of leave or daily activities due to the condition as defined in 29 C.F.R. § 1635.3(f) uployee's family members, 29 C.F.F.	xperience, and examina needed. Note: For FML n, treatment of the cond), genetic services, as d	ation of the patient. After co LA purposes, "incapacity" me dition, or recovery from the co	ompleting Part A, completing Part A, completing and the inability to work, attendition. Do not provide info	ete Part B to provide tend school, or perform ormation about genetic
(1) Sta	te the approximate date the conditi	on started or will start:			(mm/dd/yyyy)
(2) Pro	ovide your best estimate of how lor	ng the condition lasted o	or will last:		
(3) Che	eck the box(es) for the questions be	elow, as applicable. For	all box(es) checked, the amo	ount of leave needed must b	oe provided in Part B.
	Inpatient Care: The patient (hospice, or residential medical ca		•		
	Incapacity plus Treatment: (e.g.	outpatient surgery, stre	p throat)		
	Due to the condition, the patient (has been / is	expected to be) incapacitated	for more than three	
	consecutive, full calendar days fr	om:	_ (mm/dd/yyyy) to	(mm/dd/yyyy).	
	The patient (was / will be	oe) seen on the following	g date(s):		
	The condition (has / ha		_	-	
	Pregnancy: The condition is preg	nancy. List the expec	ted delivery date:	(mm/dd/yyyy).	
	Chronic Conditions: (e.g. asthmatreatment visits at least twice per		Due to the condition, it is me	dically necessary for the pa	itient to have
	Permanent or Long Term Condi or long term and requires the conf				
	Conditions requiring Multiple To necessary for the patient to receive		therapy treatments, restorativ	e surgery) Due to the cond	ition, it is medically
	None of the above: If none of the needed. Go to page 4 to sign and		e checked, (i.e., inpatient car	e, pregnancy) no additional	information is

Employee Name:
(4) If needed, briefly describe other appropriate medical facts related to the condition(s) for which the employee seeks FMLA leave. (e.g., use of nebulizer, dialysis)
PART B: Amount of Leave Needed
For the medical condition(s) checked in Part A, complete all that apply. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage.
(5) Due to the condition, the patient (had / will have) planned medical treatment(s) (scheduled medical visits) (e.g.psychotherapy, prenatal appointments) on the following date(s):
(6) Due to the condition, the patient (was / will be) referred to other health care provider(s) for evaluation or treatment(s).
State the nature of such treatments: (e.g. cardiologist, physical therapy)
Provide your best estimate of the beginning date (mm/dd/yyyy) and end date (mm/dd/yyyy).
for the treatment(s).
Provide your best estimate of the duration of the treatment(s), including any period(s) of recovery (e.g. 3 days/week)
(7) Due to the condition, it is medically necessary for the employee to work a reduced schedule .
Provide your best estimate of the reduced schedule the employee is able to work. From (mm/dd/yyyy)
to (mm/dd/yyyy) the employee is able to work: (e.g., 5 hours/day, up to 25 hours a week)
(8) Due to the condition, the patient (was / will be) incapacitated for a continuous period of time, including any time
for treatment(s) and/or recovery.
Provide your best estimate of the beginning date (mm/dd/yyyy) and end date (mm/dd/yyyy).
for the period of incapacity.
(9) Due to the condition, it (was / size is / will be) medically necessary for the employee to be absent from work on an
intermittent basis (periodically), including for any episodes of incapacity i.e., episodic flare-ups. Provide your best estimate of how often (frequency) and how long (duration) the episodes of incapacity will likely last.
Over the next 6 months, episodes of incapacity are estimated to occur times per
(day week month) and are likely to last approximately (hours days) per episode.

Employee Name:		
PART C: Essential Job Functions		
If provided, the information in Section I question #4 may be used to answer th employee's essential functions or a job description, answer these questions ba functions. An employee who must be absent from work to receive medical treat condition is considered to be not able to perform the essential job functions of the	ased upon the employee's own description ment(s), such as scheduled medical visits,	of the essential job for a serious health
(10) Due to the condition, the employee (was not able / is not able /	will not be able) to perform one or more o	of the
essential job function(s). Identify at least one essential job function the employee	is not able to perform:	
Signature of Health Care Provider	Date:	(mm/dd/yyyy
Definitions of a Serious Health Condition (See 29 C.F.R. §§ 825.113	115)	
Inpatient Care		
 An overnight stay in a hospital, hospice, or residential medical care f Inpatient care includes any period of incapacity or any subsequent to 	•	nt stay.
Continuing Treatment by a Health Care Provider (any one or more of	the following)	
Incapacity Plus Treatment : A period of incapacity of more than three cotreatment or period of incapacity relating to the same condition, that also		ubsequent
o Two or more in-person visits to a health care provider for treatr extenuating circumstances exist. The first visit must be within s		
 At least one in-person visit to a health care provider for treatmer results in a regimen of continuing treatment under the supervise provider might prescribe a course of prescription medication or 	sion of the health care provider. For exam	
Pregnancy: Any period of incapacity due to pregnancy or for prenatal ca	ire	
Chronic Conditions : Any period of incapacity due to or treatment for a casthma, migraine headaches. A chronic serious health condition is one was supervised by the provider) at least twice a year and recurs over an exterpisodic rather than a continuing period of incapacity.	hich requires visits to a health care prov	vider (or nurse
Permanent or Long-term Conditions : A period of incapacity which is p treatment may not be effective, but which requires the continuing superv disease or the terminal stages of cancer.		
Conditions Requiring Multiple Treatments: Restorative surgery after a likely result in a period of incapacity of more than three consecutive, full of		

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 15 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

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